## **NOT FOR PUBLICATION**

## UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

:

TYRONE SMITH,

Civil Action No. 14-2602 (JMV)

Petitioner,

,

v. : ORDER

BEVERLY HASTINGS, et al.,

:

Respondents.

\_\_\_\_:

For the reasons set forth in the accompanying Opinion,

IT IS, on this 30<sup>th</sup> day of December, 2016

**ORDERED** that Petitioner's motion to compel the Court to schedule a hearing date (ECF No. 18) is denied; an evidentiary hearing is not required in this matter; and it is further

**ORDERED** that the Amended Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2254 (ECF Nos. 3, 4) is DENIED; and it is further

**ORDERED** that a certificate of appealability shall not issue; and it is further

**ORDERED** that the Clerk of the Court shall send a copy of this Order and the accompanying Opinion to Petitioner by regular U.S. mail, and it is further

**ORDERED** that the Clerk of the Court shall close the Court's file in this matter.

s/ John Michael VazquezJOHN MICHAEL VAZQUEZUnited States District Judge